

## Message Text

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PAGE 01 STATE 196024  
ORIGIN EB-08

INFO OCT-01 EA-10 IO-13 ISO-00 EPA-01 STR-07 OES-09  
HEW-04 AGR-01 CEQ-01 COME-00 TRSE-00 L-03 SP-02  
CIAE-00 INR-10 NSAE-00 /070 R

DRAFTED BY EB/OT/STA:LBLEVINE:JH

APPROVED BY EB/OT/STA:JSSPIRO

EPA:DKAMPT (SUBS)

STR:SSCHWAB (INFO)

OES/EN/ENP:JBLANCHARD

EA/ANP:CTWINING

FDA:WKUSTKA

EB/EWT:PHBLAKEBURN

-----082295 032004Z /61

P R 031918Z AUG 78

FM SECSTATE WASHDC

TO AMEMBASSY WELLINGTON PRIORITY

INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EAGR, ETRD, SENV, NZ

SUBJECT: NEW ZEALAND EXPORTS OF KIWIFRUIT

REF: WELLINGTON 3788

1. FOOD AND DRUG ADMINISTRATION (FDA) DID DETAIN SEVERAL SHIPMENTS OF KIWIFRUIT IN SEATTLE AND LOS ANGELES IN LATE JUNE FOR HAVING UNACCEPTABLE LEVELS OF GUTHION AND IMIDAN (PHOSMET) RESIDUES. THERE HAVE BEEN NO REGULATIONS PUBLISHED ESTABLISHING TOLERANCES FOR RESIDUES OF GUTHION OR IMIDAN ON KIWIFRUIT; THEREFORE, THE PERMITTED TOLERANCE

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PAGE 02 STATE 196024

IS ZERO (WHETHER OR NOT PRODUCT IS PEELED BEFORE EATEN).

2. NEW ZEALAND EMBASSY IN WASHINGTON HAS BEEN WORKING WITH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND FDA SINCE DETENTION TO RESOLVE PROBLEM. UPON RECEIPT OF RESIDUE DATA, EPA WILL BE IN POSITION TO EXAMINE PETITION TO REGISTER USE OF IMIDAN AND GUTHION ON KIWIFRUIT. IF

SHIPMENTS MEET NEW TOLERANCE, FDA WILL RELEASE THEM.  
NEW ZEALAND EMBASSY IS WAITING FOR THE MANUFACTURER  
(STAUFFER) AND THE NEW ZEALAND MINISTRY OF AGRICULTURE  
AND FISHERIES TO COMPILE RESIDUE DATA TO SUBMIT TO EPA.  
WE HAVE TALKED WITH FDA AND EPA TO ENCOURAGE THEM TO

COME TO A SOLUTION AS QUICKLY AS POSSIBLE. AGENCIES ARE  
AWARE OF THE TRADE AND ECONOMIC INTEREST OF NEW ZEALAND

IN THIS MATTER.

3. EPA HAS PROMISED EXPEDITIOUS REVIEW OF THE APPLICATION  
AND IS IN REGULAR CONTACT WITH NEW ZEALAND EMBASSY HERE.  
HOWEVER, THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE  
ACT (FIFRA) REQUIRES THAT A NOTICE BE PUBLISHED IN THE  
FEDERAL REGISTER GIVING INTERESTED PARTIES 30 DAYS TO  
COMMENT BEFORE EPA CAN MAKE A FINAL RULING ON RESIDUE  
LEVELS. FDA (UNDER THE FOOD, DRUG AND COSMETIC ACT)  
WILL THEN BE GUIDED BY THESE TOLERANCES IN RELEASING  
FRUIT.

4. DEPT IS CURRENTLY ENGAGED IN INTERAGENCY EFFORT TO  
ESTABLISH USG POLICY ON THE EXPORT OF HAZARDOUS SUBSTANCES.  
THE KIWIFRUIT EXPERIENCE MAY PROVE USEFUL IN SHAPING THIS  
POLICY. WE WOULD APPRECIATE ANY INFORMATION YOU CAN  
DEVELOP WHICH WOULD CLARIFY HOW THE PROBLEM OCCURRED. WE  
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PAGE 03 STATE 196024

UNDERSTAND THAT KIWIFRUIT GROWERS HAVE BEEN USING  
PESTICIDES ON FRUIT EXPORTED TO THE U.S. IN PRIOR YEARS.  
WERE THE FRUIT GROWERS NOT PROPERLY ALERTED TO REGULATIONS  
UNDER FIFRA?

5. WILL KEEP YOU INFORMED OF DEVELOPMENTS RELATING TO  
RELEASE OF KIWIFRUIT SHIPMENTS.

VANCE

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NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXPORTS, FRUITS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE196024  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** LBLEVINE:JH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Film Number:** D780318-0869  
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**Office:** ORIGIN EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 WELLINGTON 3788  
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**Review Exemptions:** n/a  
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**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** NEW ZEALAND EXPORTS OF KIWIFRUIT  
**TAGS:** EAGR, ETRD, SENV, NZ  
**To:** WELLINGTON  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
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